IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD
(Special Original Jurisdiction)
THURSDAY, THE TWENTY FOURTH DAY OF JUNE
TWO THOUSAND AND FOUR
PRESENT
THE HON'BLE SRI DEVINDER GUPTA,THE CHIEF JUSTICE
and
THE HON'BLE MS JUSTICE G.ROHINI

WRIT PETITION NO : 18146 of 2003

Between:
1 Edmond Jacob, S/o. A. Jacob,
R/o. H.No. 12-8-382, Allagada bavi, Secunderabad.
2 Geeta Jacob, W/o. Edmond Jacob,
R/o. H.No. 12-8-382, Allagada bavi, Secunderabad.

..... PETITIONER(S)

AND

1 State Bank of Hyderabad, Lalaguda Branch, Represented by its Branch Manager,
Secunderabad.
2 The Union of India, Ministry of Law, Represented by its Secretary,
New Delhi.

.....RESPONDENT(S)

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to to issue a writ or a order or a direction particularly one in the nature of Mandamus declaring the acts and action of the respondent as illegal contrary to law and judicial precedents and principles and that this court may be pleased to suspend/stay the impugned notice dated 17-05-2003 and be pleased to pass orders as the court shall see fit

For the Petitioner:MR.J.C.FRANCIS

For the respondent no.1: Mr. K.V. Simhadri

For the respondent No.2: A. Rajasekhar Reddy, S.C. for Central Govt.

The Court made the following Oral Order:

(per Sri Devinder Gupta, CJ)

In view of the decision rendered by the Hon'ble Supreme Court in Transfer Case (Civil) No. 92-95 of 2002, dated 8th April, 2004 *(MARDIA CHEMICALS LTD v. UNION OF INDIA AND OTHERS*), challenge to the provisions of the Securitisation and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002, is not tenable and for that reason, relief prayed for cannot be granted.

The Writ petition, therefore, is dismissed.

ASSISTANT REGISTRAR

// TRUE COPY //

SECTION OFFICER

To:

1. The Branch Manager,
State Bank of Hyderabad,
Lallaguda Branch,
Secunderabad.

2. Secretary, Ministry of Law and Justice,
Union of Indla, Sastry Bhavan., New Delhi.

3. Two C.D. copies